

REGISTER

South Dakota Legislative Research Council



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A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council)

Department of Agriculture: Weed and Pest Control Commission: (April 8, 2002) intends to adopt rules to identify which noxious weeds will be listed as locally noxious weeds and amend the number of locally noxious weeds and declared pests that are allowed. The general authority for these rules, as cited by the department, is SDCL 38-22-9 and 38-22-11.1.

A public hearing will be held at the Joe Foss Building in the 3rd Floor Training Room, 523 East Capitol Avenue, Pierre, South Dakota, on May 16, 2002, at 2:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to the Department of Agriculture, Division of Agricultural Services, Weed and Pest Control, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by May 15, 2002, to be considered. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3796 before the hearing.

Department of Agriculture: Agricultural Services: (April 8, 2002) intends to adopt changes to the 1999 Pasteurized Milk Ordinance (PMO) which were passed at the 2001 National Conference of Interstate Milk Shippers. The rules maintain interstate milk shipments of milk and milk products. The general authority for these rules, as cited by the department, is SDCL 39-6-9.

A public hearing will be held at the Joe Foss Building in the 3rd Floor Training Room, 523

East Capitol Avenue, Pierre, South Dakota, on May 16, 2002, at 3:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Department of Agriculture, Division of Agricultural Services, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by May 15, 2002, to be considered. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3796 before the hearing.

Department of Education and Cultural Affairs: South Dakota State Historical Society: (April 11, 2002) is proposing rules to update federal rule references and define museum collections committee; increase museum admission fees; set fees for photographic shipping and handling and electronic document delivery service; increase membership fees; update federal rule references; clarify federal standards for historic preservation; clarify the preservation plan followed by the city of Deadwood; clarify the Board of Trustee's role in reviewing the historic preservation fund for the city of Deadwood; clarify the allowable and unallowable expenditures from the historic preservation fund of the city of Deadwood; clarify the approval process for expenditures from the Deadwood historic preservation fund; establish a process to review loan and grant funds expended by the city of Deadwood from the historic preservation fund; and improve procedures for the award of grants from the Deadwood Fund by the South Dakota State Historical Society Board of Trustees. The general authority for these rules, as cited by the department, is SDCL 1-19A-5, 1-19A-11, 1-19A-13.5, 1-19A-29, 42-7B-5, and 42-7B-46.

A public hearing was held at the Cultural Heritage Center, 900 Governors Drive, Pierre, South Dakota, on April 12, 2002, at 9:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota State Historical Society, 900 Governors Drive, Pierre, South Dakota 57501-2217.

Department of Commerce and Regulation: Electrical Commission: (April 11, 2002) is proposing rules to adopt the 2002 National Electrical Code, require continuing education for apprentice electricians, and change the commission's address. The general authority for these rules, as cited by the commission, is SDCL 36-16-12, 36-16-13.3, and 36-16-30.

A public hearing will be held at the Americinn, Chamberlain, South Dakota, on May 21, 2002, at 10:30 a.m. Copies of the proposed rules may be obtained from and written comments sent to the State Electrical Commission, 118 West Capitol Avenue, Pierre, South Dakota 57501. Written comments must be received by May 17, 2002, to be considered. Persons who have special needs for which the department can make arrangements are asked to call 1-800-233-7765 before the hearing.

Department of Commerce and Regulation: Board of Chiropractic Examiners: (April 11, 2002) intends to adopt rules to increase the license fee, update statutory sections that relate to doctor/patient confidentiality, clarify the American Chiropractic Association Code of Ethics that a South Dakota chiropractor shall

follow, and update the sanctions that the Board may impose regarding the discipline of South Dakota chiropractors. The general authority for these rules, as cited by the board, is SDCL 36-5-2.2, 36-5-4, 36-5-10, 36-5-11, 36-5-12, 36-5-13, 36-5-14.1, 36-5-14.2, 36-5-15.2, 36-5-16, and 36-5-16.1.

A public hearing will be held at the Ortman Clinic in Canistota, South Dakota, on June 7, 2002, at 8:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to Marcia Walter, Executive Secretary, South Dakota Board of Chiropractic Examiners, 2603 Ella Lane, Yankton, South Dakota 57078. Written comments must be received by June 4, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the board can make arrangements are asked to call (605) 668-9017 at least forty-eight hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

5-16-2002	Agriculture: Weed and Pest Control Commission	Noxious weed list, number of noxious weeds and pests allowed; 28 SDR 145.
5-16-2002	Agriculture: Agricultural Services	Changes to the 1999 Pasteurized Milk Ordinance; 28 SDR 145.
5-21-2002	Commerce and Regulation: Electrical Commission	Adopt the 2002 National Electrical Code, continuing education for apprentice

		electricians, change commission address; 28 SDR 146.
6-7-2002	Commerce and Regulation: Chiropractic Examiners	Increase license fee, update sections on doctor/patient confidentiality, clarify code of ethics, update sanctions imposed regarding discipline; 28 SDR 146.

Rules Review Committee Meetings

The first meeting of the Interim Rules Review Committee will be held Tuesday, April 16 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: May 14, June 11, August 6, September 17, November 20, and January 6.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules. Each agency is requested to provide the LRC with eight copies of the most recent draft of its rules two days before the meeting.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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